

City of Walnut Creek, CA

Review of the State's Proposed Green Building Standards

By Robert Woods, Building Official

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1. The regulations contain a mixture of mandatory and optional items. Why is it necessary to list any optional items? What purpose does it serve? There must be an unlimited number of optional items that a designer can choose as part of a green building design. Why are the optional items only limited to just those that are being written in the code?
2. The mandatory (and optional) items appear to be taken from industry standard language, such as the U.S. Green Building Council's New Construction & Major Renovation Reference Guide (LEED) or the Build It Green New Home Construction Green Building Guidelines. Instead of the state reinventing green building language, why can't the state simply select one or more of these as a standard and then state the mandatory level of compliance relative to the point systems offered in those standards? Many current building standards are written in this way, making use of existing, nationally recognized standards, such as ACI-318 for concrete design. This would simplify the states regulations, provide industry standards that can be easily referenced by designers, and simplifies the enforcement side.
3. There is a Building Standards Commission (BSC) version and there is a Housing and Community Development Department (HCD) version of the standards. My understanding of the regulations is that the BSC version will cover all occupancy groups except for those that are covered by HCD, as stated in Section 103.1 Paragraph 1. Thus, HCD, a state agency which regulates all residential except hotels and motels, trumps BSC on these occupancies. All remaining uses would be handled by BSC. Is this how everyone else at the City sees it? If this is the intent of the regulations, then I support this concept as it is consistent with the way in which the building standards are adopted using the Table Matrices. Otherwise, I would have issue with it.
4. Depending upon the depth of review and verification of these regulations, they may demand additional staff time for plan review and inspection. They will require the City of Walnut Creek to increase its expense budgets in 2010 to provide the services. If revenues are as they are currently predicted, the City can be impacted by these additional code changes. As a result, the enforcement of the regulations may need to be done through certification processes using an architect or engineer hired by the owner to certify that the provisions have been complied with. For projects that may already have an architect or engineer associated with it, this would likely not be an issue. For projects that are being designed without an architect or engineer, this will likely generate upset for the owner to have to hire an architect or engineer. However, the limited resources the City may have may dictate this enforcement path.